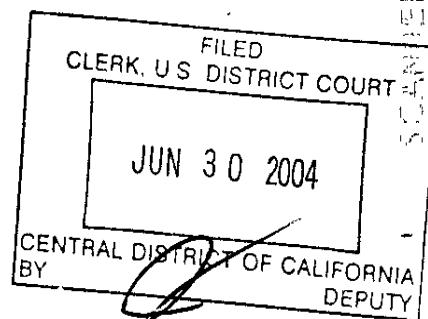


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28
 29 *UNITED STATES DISTRICT COURT*
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

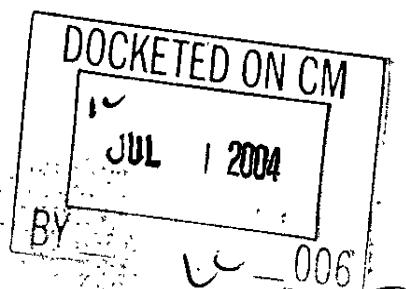
30
 31 *SAMUEL GART,*
 32 Plaintiff;
 33
 34 v.
 35 *MICROSOFT CORPORATION,*
 36 Defendant.

37 Case No. CV 03-1807 CBM (Mcx)

38 STIPULATION FOR DISMISSAL OF
 39 ACTION PURSUANT TO FEDERAL
 40 RULE OF CIVIL PROCEDURE 41(a)

41 Honorable Consuelo B. Marshall

42 Priority _____
 43 Send _____
 44 Enter _____
 45 Closed _____
 46 JS-1/JS-6 _____
 47 JS-2/JS-3 _____
 48 Scan Only _____



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LODGED

2004 JUN 29 AMT:39
 CENTRAL DISTRICT OF CALIFORNIA
 LOS ANGELES

1 IT IS HEREBY STIPULATED, pursuant to Federal Rule of Civil Procedure
2 41(a), by plaintiff and counterclaim defendant Samuel Gart, on the one hand, and
3 defendant and counterclaimant Microsoft Corporation, on the other hand, through
4 their respective counsel of record, that the above-captioned action is dismissed with
5 prejudice in its entirety, each party to bear his or its own costs and attorneys' fees.

6
7 Dated: June 29, 2004

KNOBBE MARTENS OLSEN
& BEAR LLP
JAMES F. LESNIAK
JOHN B. SGANGA, Jr.
JON W. GURKA
SEAN M. MURRAY

10
11 By:

John B. Sganga, Jr.
Attorneys for Plaintiff and Counterclaimant
Defendant Samuel Gart

12
13 Dated: June 29, 2004

14 ARNOLD & PORTER LLP
15 JOEL M. FREED
JAMES S. BLACKBURN

16
17 By:

James S. Blackburn
Attorneys for Defendant and
Counterclaimant Microsoft Corporation

18
19
20
21 IT IS SO ORDERED

22 Dated 6/30/04

23


24 United States District Judge

1 **PROOF OF SERVICE**

2 CANNED
3 CANNED

2 STATE OF CALIFORNIA }

3 COUNTY OF LOS ANGELES } ss

4 I am employed in the County of Los Angeles, State of California. I am over
5 the age of 18 and not a party to the within action. My business address is 1900
6 Avenue of the Stars, 17th Floor, Los Angeles, California 90067-4408.

7 On June 29, 2004, I served the foregoing document described as:

8 **STIPULATION FOR DISMISSAL OF ACTION PURSUANT TO FEDERAL**
9 **RULE OF CIVIL PROCEDURE 41(a)**

- 10 by placing the original and a true copy thereof enclosed in sealed
11 envelope(s) addressed as follows:

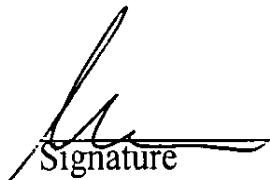
12 SEE ATTACHED SERVICE LIST

- 13 **BY MAIL** I placed such envelope with postage thereon prepaid in the United
14 States Mail at 1900 Avenue of the Stars, 17th Floor, Los Angeles, California
15 90067-4408. Executed on June 29, 2004 at Los Angeles, California.

- 16 **BY FACSIMILE** The above-referenced document (together with all exhibits
17 and attachments thereto) was transmitted via facsimile transmission to the
18 addressee(s) as indicated on the attached mailing list on the date thereof. The
19 transmission was reported as completed and without error. Executed on June
20 29, 2004 at Los Angeles, California.

- 21 **FEDERAL** I declare that I am employed in the office of a member of the bar
22 of this court at whose direction the service was made.

23 Stella Gardiner
24 Type or Print Name

25 
26 Signature

27 254421v1

1 SERVICE LIST
2

3 *Gart v. Microsoft*, USDC Case No. CV 03 1807 CBM
4 and *Gart v. Micro Innovations Corp.*, USDC Case No. CV 03 4320 CBM
5

SCANNED

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